

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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KENNETH CAMERON,

Plaintiff,

v.

Case No. 07 CV 3991 (BSU)

COACH APPAREL STORE; MEREDITH BELL,
SALES REP. COACH; KIMBERLY DE'ANN SHAW,
SALES REP. COACH; NEW YORK CITY POLICE
DEPT.; OFFICER (N.Y.P.D.) MICHAEL FRIEL
#BADGE 24434, PATROL BORO MANHATTAN
SOUTH; each defendant is to be sued in their individual and
official capacity,

Defendants.
-----X

ANSWER OF COACH APPAREL STORE, MEREDITH
BELL AND KIMBERLY DE'ANN SHAW

Coach, Inc., sued herein as Coach Apparel Store, Meredith Bell and Kimerly De'Ann Shaw, by their attorneys, Mound Cotton Wollan & Greengrass, as and for their Answer to the Complaint in the within matter allege as follows:

1. Lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph I. A.
2. Lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph I. B, except admits that Coach, Inc. operates the Coach Apparel Store at 342 Madison Avenue, New York, New York and that at the times alleged in the Complaint, Meredith Bell and Kimberly De'Ann Shaw were employed by Coach, Inc., at its store at 342 Madison Avenue, New York, New York.
3. Lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph II. of the Complaint.

4. Denies Paragraph III. of the Complaint.
5. No response is required to Paragraphs IV. of the Complaint.
6. Denies Paragraph V. of the Complaint.
7. Lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph VI. of the Complaint.

AS AND FOR A FIRST AFFIRMATIVE DEFENSE:

8. Coach Inc., Meredith Bell and Kimberly De'Ann Shaw each had probable cause for their actions in regard to plaintiff that resulted in his arrest by the New York City Police Department.

AS AND FOR A SECOND AFFIRMATIVE DEFENSE:

9. Coach, Inc., Meredith Bell and Kimberly De'Ann Shaw each had reasonable cause to believe that a crime had been committed by plaintiff.

AS AND FOR A THIRD AFFIRMATIVE DEFENSE

10. The dismissal of the charges against plaintiff did not constitute an adjudication of innocence and this action is thus barred.

AS AND FOR A FOURTH AFFIRMATIVE DEFENSE

11. Plaintiff fails to state a cause of action under 42 USC §1983 against Coach, Inc., Meredith Bell and Kimberly De'Ann Shaw.

AS AND FOR A FIFTH AFFIRMATIVE DEFENSE

12. Coach, Inc.. Meredith Bell and Kimberly De'Ann Shaw did not engage in "state action."

WHEREFORE, defendants Coach, Inc., Meredith Bell and Kimberly De'Ann Shaw demand judgment dismissing the Complaint together with their costs and disbursements and for such other relief as may be just and proper.

Dated: New York, New York
July 27, 2007

MOUND COTTON WOLLAN & GREENGRASS

By: 

Jon Quint (JQ7874)

One Battery Park Plaza
New York, New York 10004
(212) 804-4200
Attorneys for Defendants
Coach, Inc., Meredith Bell and
Kimberly De'Ann Shaw

TO:

Kenneth Carmeron,
Defendant Pro Se
#8950700006
Men's House of Detention Manhattan
125 White Street
New York, New York 10013

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

Sandra Neidich, being duly sworn, deposes and says:

That deponent is not a party to this action, is over the age of 18 years and resides in Monroe Township, New Jersey.

That on July 27, 2007 deponent served the within **Answer of Coach Apparel Store, Meredith Bell and Kimberly De'Ann Shaw** upon:

Kenneth Carmeron,
Defendant Pro Se
#8950700006
Men's House of Detention Manhattan
125 White Street
New York, New York 10013

the address designated by said attorneys for that purpose by enclosing the same in a properly addressed wrapper directed to said attorneys at the above address under the exclusive care and custody of United States Post Office.

Sworn to before me
July 27, 2007

Notary Public

JON EDWARD QUINT
Notary Public, State of New York
No. 02QU4521109
Qualified in Kings County
Commission Expires January 31, 2011


Sandra Neidich